

DMB:DSS  
F.#2007R01872

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

S U P E R S E D I N G  
I N D I C T M E N T

- against -

GILBERTO ARIAS,  
    also known as "Troy,"  
EDWIN MENDEZ,  
ALEJO POLANCO,  
    also known as "Hondo,"  
EMILINO VASQUEZ,  
    also known as "Patalarga," and  
EDWIN TAVARES,  
    also known as "Chegui,"

Cr. No. 08-65 (S-1) (DGT)  
(T. 18, U.S.C., §§  
924(c)(1)(A)(i),  
924(c)(1)(A)(ii),  
924(c)(1)(A)(iii),  
924(j)(1), 1951(a),  
2 and 3551 et seq.; T.  
21, U.S.C., §§  
841(b)(1)(A)(i),  
841(b)(1)(A)(ii)(II)  
and 846)

Defendants.

- - - - - X

THE GRAND JURY CHARGES:

COUNT ONE

(Conspiracy to Distribute Heroin and Cocaine)

In or about and between January 1989 and February 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants GILBERTO ARIAS, also known as "Troy," EDWIN MENDEZ, ALEJO POLANCO, also known as "Hondo," EMILINO VASQUEZ, also known as "Patalarga," and EDWIN TAVARES, also known as "Chegui," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute one or more controlled substances, which offense involved: (a) one kilogram or more of a substance containing heroin, a schedule I controlled substance; and (b)

five kilograms or more of a substance containing cocaine, a schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i) and 841(b)(1)(A)(ii)(II); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO  
(Hobbs Act Robbery Conspiracy)

In or about and between January 1989 and February 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants GILBERTO ARIAS, also known as "Troy," EDWIN MENDEZ, ALEJO POLANCO, also known as "Hondo," EMILINO VASQUEZ, also known as "Patalarga," and EDWIN TAVARES, also known as "Chegui," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, by robbery, to wit: robbery of narcotics traffickers in, among other places, Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT THREE  
(Use of a Firearm)

In or about and between January 1989 and February 2003, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants GILBERTO

ARIAS, also known as "Troy," EDWIN MENDEZ, ALEJO POLANCO, also known as "Hondo," EMILINO VASQUEZ, also known as "Patalarga," and EDWIN TAVARES, also known as "Chegui," together with others, did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: the crime charged in Count Two, and did knowingly and intentionally possess such firearms in furtherance of said crime of violence, which firearms were brandished and discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 2 and 3551 et seq.)

COUNT FOUR

(Firearm-Related Murder of Liliana Colmenares)

On or about June 10, 2001, within the Eastern District of New York and elsewhere, the defendants EDWIN MENDEZ, ALEJO POLANCO, also known as "Hondo," EMILINO VASQUEZ, also known as "Patalarga," and EDWIN TAVARES, also known as "Chegui," together with others, in the course of a violation of Title 18, United States Code, Section 924(c), to wit: the crime charged in Count Three, did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), in that the defendants, together


with others, did unlawfully kill, and cause the killing of,  
Liliana Colmenares in the attempt to perpetrate a robbery.

(Title 18, United States Code, Sections 924(j)(1), 2  
and 3551 et seq.)

A TRUE BILL



FOREPERSON

  
LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

No. 08-065 (S-1)(DGT)

---

---

**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

---

---

**THE UNITED STATES OF AMERICA**

vs.

*Gilberto Arias, Edwin Mendez, Alejo Polanco, Emilino Vasquez and Edwin Tavares,*

Defendants.

---

---

**INDICTMENT**

(T. 18, U.S.C., §§ 924(c)(1)(A)(i), 924(c)(1)(A)(ii), 924(c)(1)(A)(iii), 924(j)(1), 1951(a), 2 and 3551 et seq;  
T. 21, U.S.C., §§ 841(b)(1)(A)(i), 841(b)(1)(A)(ii)(II) and 846)

---

---

*A true bill.*

*Allison Repan*

*Foreman*

---

---

*Filed in open court this \_\_\_\_\_ day,*

*of \_\_\_\_\_ A.D. 20 \_\_\_\_\_*

---

---

*Clerk*

---

---

*Bail, \$ \_\_\_\_\_*

---

---

***Daniel S. Silver, Assistant U.S. Attorney (718 254-6034)***